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**Micro Records Company, Inc.
Baltimore , Maryland**

IN RE: PETITION FOR ADMIN. VARIANCE
NW/8 Park Avenue, 25' NE of
the c/l of Ridge Avenue
(1700 Park Avenue)
13th Election District
1st Councilmanic District

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 94-100-A

Alber Kraft, et ux
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the owners of the subject property, Alber and Lillian Kraft. The Petitioners request relief from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 12 feet in lieu of the minimum required 30 feet, for a proposed addition in accordance with Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 107.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 14th day of October, 1993 that the Petition for Administrative Variance requesting relief from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 12 feet in lieu of the minimum required 30 feet, for a proposed addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113, Courthouse
400 Washington Avenue
Towson, MD 21204

October 14, 1993

(410) 887-4386

Mr. & Mrs. Alber Kraft
1700 Park Avenue
Baltimore, Maryland 21227

RE: PETITION FOR ADMINISTRATIVE VARIANCE
NW/8 Park Avenue, 25' NE of the c/l of Ridge Avenue
(1700 Park Avenue)
13th Election District - 1st Councilmanic District
Alber Kraft, et ux - Petitioners
Case No. 94-100-A

Dear Mr. & Mrs. Kraft:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration Office at 887-1391.

Very truly yours,

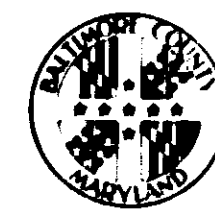
Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. R. L. Tice
Patio Enclosures, Inc.
224 8th Avenue, N.W., Glen Burnie, Md. 21061

People's Counsel

8/16



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 1700 PARK AVENUE, BALTIMORE, MD. 21227
which is presently zoned RM-1

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof hereby petition for a variance from Sections 1802.3.C.1 (BCZR) To permit a rear yard setback of 12 feet in lieu of the required minimum 30 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Code of Baltimore County, for the following reasons: (Indicate whether or not practical difficulty)

Property is to be posted and advertised as prescribed by Zoning Regulations 1. or we agree to pay expense of notice herein advertising, posting, etc. (Indicate if this petition and other agree to pay and be bound by the zoning regulations and restrictions of Baltimore County, as they stand and to the Zoning Code for Baltimore County.)

Signature of Petitioner	ALBER KRAFT
Type of Petitioner	Owner
Signature of Petitioner	LILLIAN KRAFT
Type of Petitioner	Owner
Address	1700 PARK AVENUE, BALTIMORE, MD. 21227
Address	224 8th AVENUE, N.W., GLEN BURNIE, MD. 21061
Address	224 8th AVENUE, N.W., GLEN BURNIE, MD. 21061

A Public Hearing has been requested and is to be held on the 14th day of October, 1993, at 10:00 A.M. in the Zoning Administration Office, 400 Washington Avenue, Towson, Maryland 21204. The subject matter of this petition is to be heard at this time. The undersigned legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof hereby petition for a variance from Sections 1802.3.C.1 (BCZR) To permit a rear yard setback of 12 feet in lieu of the required minimum 30 feet.

REVIEWED BY 8/16/93 DATE 8/16/93 Printed with Signature Ink on Heavy Weight Paper ITEM # 08

ORDER RECEIVED FOR FILING
Date 10/14/93
By 8/16

ORDER RECEIVED FOR FILING
Date 10/14/93
By 8/16

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:
That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) are competent to testify therein in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does do presently reside at 1700 PARK AVENUE
BALTIMORE, MD. 21227

That based upon personal knowledge, the following are the facts upon which I base the request for an Administrative Variance at the above address: no adverse practical difficulty

1. THIS AREA LENDS ITSELF TO THE UTILIZATION OF EXISTING FACILITIES AND LAND WITHOUT INTERRUPTION OR MAJOR ALTERATIONS TO THE PRESENT FLOOR PLAN PATTERNS.
2. INSULATE AND REDUCE HEATING BILLS.
3. REDUCE OUTSIDE NOISE.
4. A PLACE TO SIT OUT AND NOT BE CONCERNED WITH THE WEATHER, BUGS, MOSQUITOES, FLYS, ETC.
5. IMPROVE APPEARANCE OF HOUSE.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a repeating and advertising fee and may be required to provide additional information.

Alber Kraft
ALBER KRAFT
Signature of Affiant

Lillian Kraft
LILLIAN KRAFT
Signature of Affiant

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
I HEREBY CERTIFY, this 14th day of October, 1993, before me, a Notary Public of the State of Maryland, in and for the County aforesaid personally appeared Alber Kraft and Lillian Kraft

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of Affiant(s) knowledge and belief.

AS WITNESS my hand and Notarial Seal
26/1/93
My Commission Expires 26/1/93

LEGAL DESCRIPTION OF PROPERTY

BEGINNING ON THE NORTHWEST SIDE OF PARK AVENUE, 50' WIDE AT A DISTANCE OF 25', NORTHEAST OF THE CENTERLINE OF RIDGE AVENUE. BEING LOT 1 IN THE SUBDIVISION OF HALETHORPE. BOOK 55, FOLIO 90. ALSO, KNOWN AS 1700 PARK AVENUE, IN THE 13th ELECTION DISTRICT.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 13th Date of Posting: 9/10/93
Posted for: Variance
Petitioner: Alber & Lillian Kraft
Location of property: 1700 Park Ave., NW/8, 25' from Ridge Ave.
Location of Sign: Property, NW/8, 25' from Ridge Ave.
Remarks:
Posted by: 8/16/93 Date of return: 9/24/93
Number of Signs: 1

Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Date 9/2/93

KEAFT - 1700 PARK AVE.

#101 - Variance - \$50.00

#080 - Sign - \$35.00

\$85.00

Account: B-001-0100

Number #108

Taken: JR

111 West Chesapeake Avenue
Towson, MD 21204

Baltimore County Government
Office of Zoning Administration
and Development Management



94-100-A
(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Arnold Jablon
ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: #108

Petitioner: Alber & Lillian Kraft

Location: 1700 Park Ave. NW/8, 25' from Ridge Ave.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Alber & Lillian Kraft

ADDRESS: 1700 Park Ave. NW/8, 25' from Ridge Ave.

PHONE NUMBER: 887-1391

AJ:ggg

(Revised 04/09/93)

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

September 23, 1993

R.L. Tice, Agent
Petio Enclosures, Incorporated
224 Eighth Avenue, N.W.
Glen Burnie, Maryland 21061

RE: Case No. 94-100-A, Item No. 108
Petitioner: Alber Kraft, et ux
Petition for Administrative Variance

Dear Mr. Tice:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on September 2, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

Ms. Helene Kehring
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No. 94-100-A (ZAC)

Dear Ms. Kehring:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

John Contestabile, Chief
Engineering Access Permits
Division

My telephone number is _____
Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 585-0451 D.C. Metro - 1-800-492-5882 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: September 10, 1993

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 96, 100, 102, 103, 104 and 108.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffrey M. Long

Division Chief: Carl L. Kerne

PK/JL:lw

ZAC 96/PZONE/ZAC1

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

September 13, 1993

NOTICE OF CASE NUMBER ASSIGNMENT

TO: Alber Kraft and Lillian Kraft
1700 Park Avenue
Baltimore, Maryland 21227

Re: CASE NUMBER: 94-100-A (Item 108)
1700 Park Avenue
1700 Park Avenue, 25' from c/l Ridge Avenue
13th Election District - 1st Councilmanic

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case, should reference the case number and be directed to 887-3321. This notice also serves as a reference regarding the administrative process.

1) Your property will be posted on or before September 17, 1993. The closing date (October 4, 1993) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Carl Keller

Arnold Jablon
Director

cc: Petio Enclosures, Inc.

Printed with Recycled Ink
on Recycled Paper

DEED - FEE SIMPLE - INDIVIDUAL GRANTOR - LONG FORM

LIBER 7452 PAGE 729

This Deed, Made This 20th day of February

of the year one thousand nine hundred and eighty-seven

PATRICK JOSEPH GRACE and KELLY ANNE GRACE, his wife

of Baltimore County, State of Maryland, parties

of the first part, and
ALBER HENRY KRAFT, JR. and LILLIAN KRAFT, his wife, parties
of the second part.

Witnesseth, that in consideration of the sum of TWENTY SEVEN THOUSAND and 00/100ths (\$27,000.00), the receipt of which is hereby acknowledged

the said parties of the first part

do grant and convey to the said parties of the second part, as tenants by the entireties, their assigns, the survivor of them and the survivor's heirs.

personal representatives, successors and assigns
in fee simple, all
that lot of ground situate in Baltimore County, State of Maryland
and described as follows, that is to say:

BEING KNOWN AND DESIGNATED as Lot No. 1, as shown on a Plat entitled, Final Subdivision Plat of a Resubdivision of Lot 16-A HALETHORPE, which Plat is recorded among the Land Records of Baltimore County in Liber 55, folio 90.

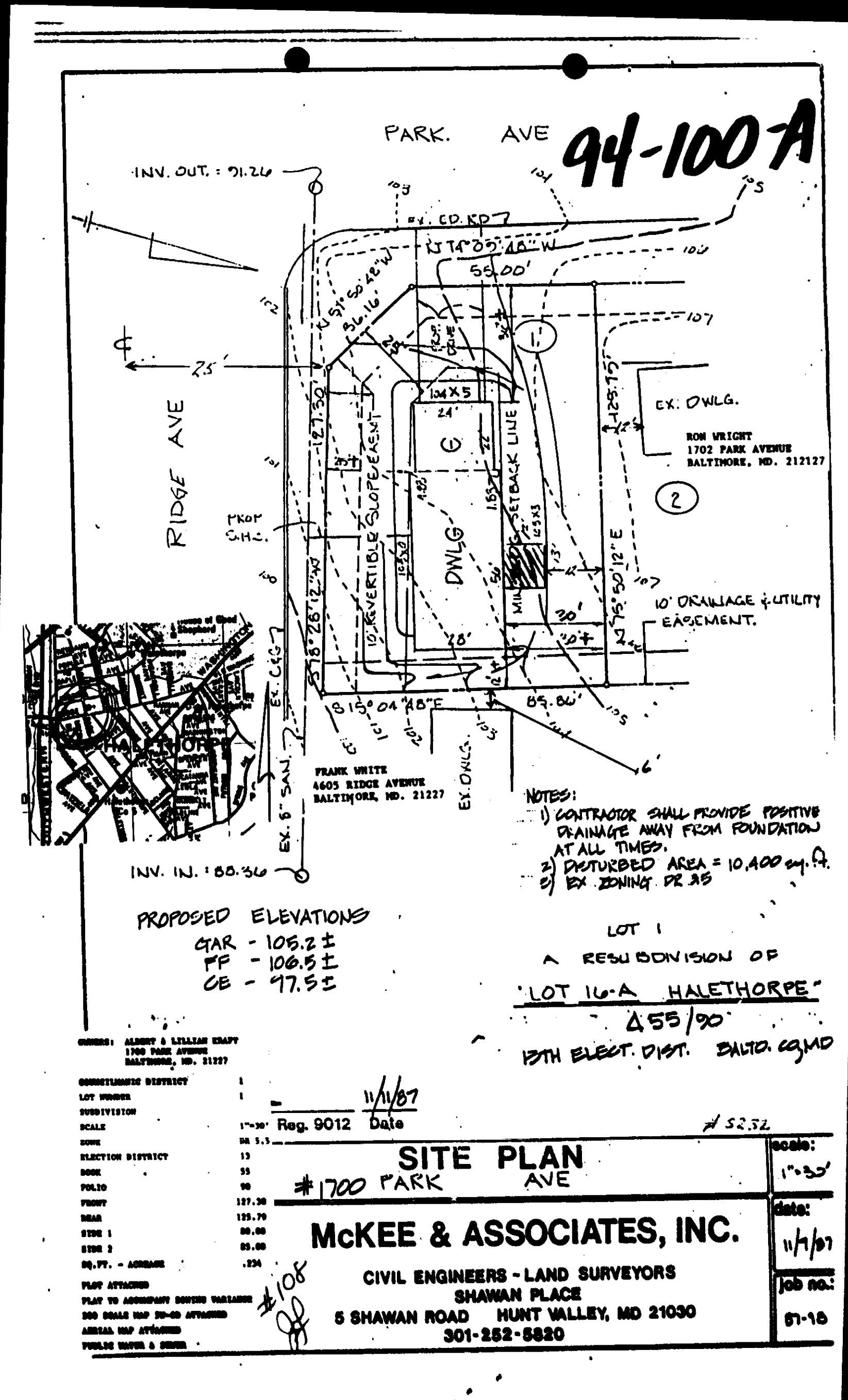
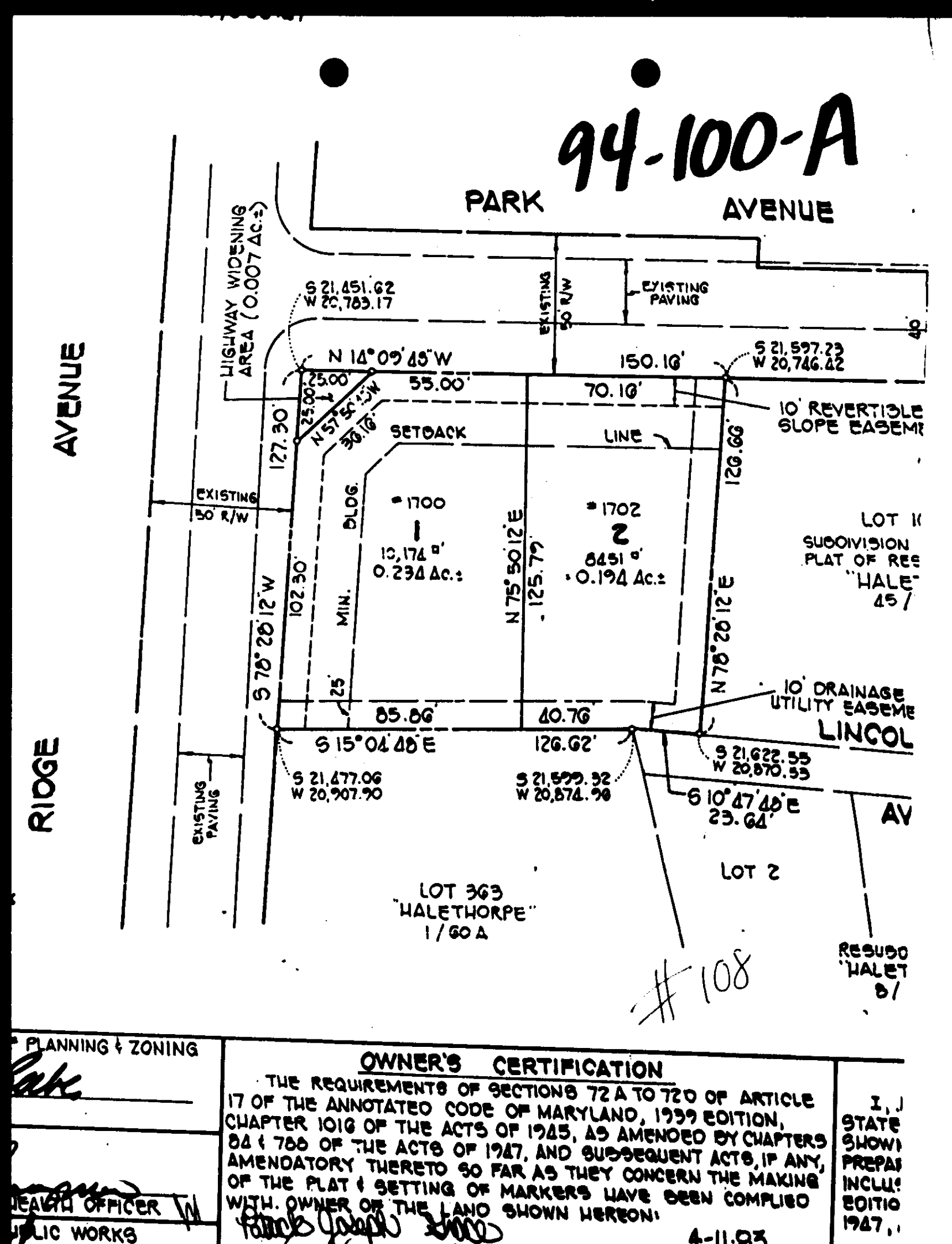
BEING part of the lot of ground which by Deed dated April 2, 1982 and recorded among the Land Records of Baltimore County in Liber 6385, folio 120, was granted and conveyed by ALVIN E. EULER and DARLENE H. EULER, his wife unto PATRICK JOSEPH GRACE and KELLY ANNE GRACE, his wife, parties of the first part.

STATE DEPARTMENT OF
ASSESSMENTS & TAXATION
J.R. 31287
CLERK DATE

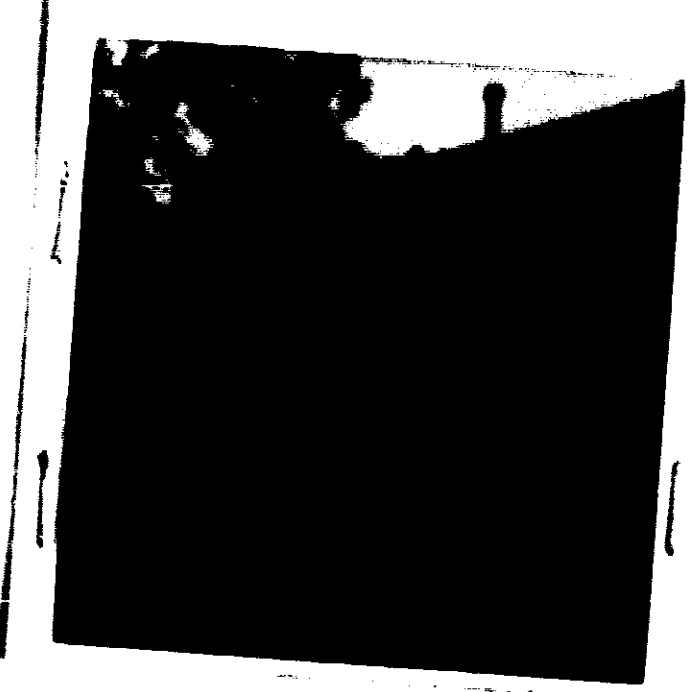
AGRICULTURAL TRANSFER AND
177 APPLICATION
SIGNATURE JR DATE 3-12-87

THE FOUNTAINHEAD TITLE GROUP
21 MIDDLEBURY AVENUE
CATONSVILLE, MARYLAND 21228

B 8181-0000-632200-6 2178A



94-100-A



94-100-A



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	HALETHORPE	SW 60
DATE OF PHOTOGRAPHY JANUARY 1986		

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

#108

#108
94-100-A